

**IN THE CLAIMS:**

Revise the claims as follows:

1. (Currently Amended) A system for supplying information to a user about a ~~physical location~~ facility visited by the user, comprising:

a portable device adapted to be carried by a human being user, the portable device having a unique device identification code;

a reader adapted to read the device identification code of the portable device of the user in close proximity to the reader, the reader being associated with a ~~physical location~~ facility to be visited by the user and having a unique reader identification code, the reader including capability to supply as an output the device identification code of the portable device when read along with the reader identification code of the reader;

a control center ~~including registering means for registering~~ adapted to register the ~~physical location~~ facility associated with the reader, ~~the registering means by~~ receiving identification information identifying an identity of the ~~physical location~~ facility, the ~~registering means~~ control center associating the received ~~physical location~~ facility identification information with the reader identification code of the reader associated with the ~~physical location~~ facility; the control center adapted to receive the device identification code and the reader identification code output by the reader, the control center adapted to supply fulfillment information associated with the supplied reader identification code to a user information destination associated with the received device identification code.

2. (Original) The system of claim 1, wherein the registering step receives information identifying a manner of supplying the fulfillment information to the control center; and the control center is adapted to receive the fulfillment information in accordance with the identified manner.

3. (Original) The system of claim 2, wherein the manner is selected from one of e-mail, regular mail, telephone and internet access.

4. (Original) The system of claim 1, wherein the reader is adapted to supply to the control center the fulfillment information each time the reader reads the device identification code of a portable device.

5. (Currently Amended) The system of claim 1, wherein the fulfillment information associated with the ~~location~~ facility is a catalog of items for sale at the ~~physical location~~ facility.

6. (Currently Amended) The system of claim 1, wherein the fulfillment information associated with the ~~location~~ facility includes promotional material regarding the ~~physical location~~ facility.

7. (Original) The system of claim 1, wherein the registering means receives the fulfillment information.

8. (Currently Amended) The system of claim 1, further comprising a plurality of readers adapted to read the device identification code of a portable device in close proximity to the respective reader, each of the readers associated with a respective ~~physical location~~ facility to be visited by the user and having a respective reader identification code, each of the readers having capability to supply as an output a read device identification code and the reader identification code of the respective reader.

9. (Currently Amended) The system of claim 8, wherein the registering means receives for each of the readers respective fulfillment information relating to the respective ~~physical location~~ facility.

10. (Currently Amended) The system of claim 1, further comprising a plurality of readers adapted to read the device identification code of a portable device in close proximity to the respective reader, each of the readers associated with the ~~physical location~~ facility and disposed within a respective department of the ~~physical location~~ facility, each of the readers

having a respective reader identification code and having capability to supply as an output a read device identification code and the reader identification code of the respective reader.

11. (Currently Amended) The system of claim 10, wherein the registering means receives for each of the readers respective fulfillment information relating to the respective department of the ~~physical location~~ facility.

12. (Currently Amended) The system of claim 1, further comprising a plurality of readers adapted to read the device identification code of a portable device in close proximity to the respective reader, each of the readers associated with the ~~physical location~~ facility and disposed adjacent to a respective item for sale within the ~~physical location~~ facility, each of the readers having a respective reader identification code and having capability to supply as an output a read device identification code and the reader identification code of the respective reader.

13. (Original) The system of claim 12, wherein the registering means receives for each of the readers respective fulfillment information relating to the respective item for sale.

14. (Currently Amended) The system of claim 1, wherein the reader is disposed within the ~~physical location~~ facility at a position whereby the reader can read the device identification code of a portable device disposed at a position exterior to the ~~physical location~~ facility.

15. (Original) The system of claim 1, wherein the registering means receives information identifying a manner of updating the fulfillment information; and the control center is adapted to update the fulfillment information in accordance with the identified manner of updating.

16. (Original) The system of claim 1, wherein the registering means receives information identifying a fulfillment information source and identifying a period to update the fulfillment information; and the control center is adapted to retrieve updated fulfillment information from the identified fulfillment information source in accordance with the identified period to update the fulfillment information.

17. (Original) The system of claim 16, wherein the fulfillment information source is a web site location.

18. (Currently Amended) The system of claim 1, further comprising means for distributing a plurality of readers having respective reader identification codes to a plurality of ~~physical locations~~ facilities on a random or pseudo-random basis.

19. (Currently Amended) The system of claim 1, further comprising means for distributing a plurality of readers having respective reader identification codes to a plurality of ~~physical locations~~ facilities offering products or services for sale having a common theme.

20. (Original) The system of claim 1, wherein the control center supplies information to a user identifying that the fulfillment information is not yet available if the fulfillment information has not yet been supplied to the control center.

21. (Currently Amended) A process of supplying information relating to a visited ~~location~~ facility to a user of a portable device having a unique device identification code, comprising the steps of:

registering during a registration process by a ~~location~~ facility, identifying an identity of the ~~location~~ facility being supplied during the registration process;

supplying to the ~~location~~ facility a reader having a unique reader identification code;

associating the reader identification code with the supplied information identifying the identity of the ~~location~~ facility;

visiting by the user of the ~~location~~ facility about which information is desired;

reading by the reader the device identification code of the portable device held by the user;

supplying to a control center the read device identification code and the reader identification code of the reader; and

supplying by the control center to a an information destination location associated with the user of the portable device fulfillment information associated with the ~~location~~ facility to which the reader having the supplied reader identification code was supplied.

22. (Original) The process of claim 21, wherein the registering step includes identifying a manner of supplying the fulfillment information to the control center; and the process further comprises the step of supplying the fulfillment information to the control center in accordance with the identified manner.

23. (Original) The process of claim 22, wherein the manner is selected from one of e-mail, regular mail, telephone and internet access.

24. (Original) The process of claim 21, further comprising the step of supplying to the control center the fulfillment information to be supplied to a card user identified location each time the reader reads the device identification code of a portable device.

25. (Currently Amended) The process of claim 21, wherein the fulfillment information associated with the ~~location~~ facility is a catalog of items for sale at the ~~location~~ facility.

26. (Currently Amended) The process of claim 21, wherein the fulfillment information associated with the ~~location~~ facility includes promotional material regarding the ~~location~~ facility.

27. (Original) The process of claim 21, wherein the registering step includes supplying to the control center the fulfillment information to be supplied during the step of supplying by the control center.

28. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to the ~~location~~ facility, each of the readers having a respective unique reader identification code; and the step of supplying by the control center is carried out by supplying respective fulfillment information associated with the supplied reader identification code.

29. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to the ~~location~~ facility, each of the

readers having a respective unique reader identification code; the process further comprising the step of associating each of the reader with respective fulfillment information; and wherein the step of supplying by the control center is carried out by supplying the fulfillment information associated with the respective reader having the respective supplied reader identification code.

30. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to the ~~location~~ facility, each of the readers having a respective unique reader identification code; the process further comprising the steps of disposing each of the plurality of readers in a respective department of the ~~location~~ facility; and associating each of the readers with respective fulfillment information pertaining to the respective department.

31. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to the ~~location~~ facility, each of the readers having a respective unique reader identification code; the process further comprising the steps of disposing each of the plurality of readers adjacent to a respective item for sale in the ~~location~~ facility; and associating each of the readers with respective fulfillment information pertaining to the respective item for sale.

32. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to the ~~location~~ facility, each of the readers having a respective unique reader identification code; the process further comprising the step of disposing each of the readers to be accessible from exteriors to the ~~location~~ facility.

33. (Original) The process of claim 21, further comprising the step of identifying a manner of updating the fulfillment information; the process further comprising the step of updating the fulfillment information to be supplied by the control center in accordance with the identified manner of updating.

34. (Currently Amended) The process of claim 21, further comprising the steps of identifying by the ~~location~~ facility a fulfillment information source; identifying a period to update the fulfillment information; and retrieving by the control center from the identified

fulfillment information source updated fulfillment information at intervals of time in accordance with the identified period to update.

35. (Original) The process of claim 34, wherein the fulfillment information source is a web site location.

36. (Original) The process of claim 21, wherein the step of supplying to the control center includes supplying the fulfillment information along with the device identification code and the reader identification code of the reader.

37. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to a plurality of ~~locations~~ facilities selected on a random or pseudo-random basis, each of the readers having a respective unique reader identification code.

38. (Currently Amended) The process of claim 21, further comprising the step of selecting a plurality of ~~locations~~ facilities offering products or services for sale having a common theme; and wherein the step of supplying the reader is carried out by supplying a plurality of readers to the selected ~~locations~~ facilities, each of the readers having a respective unique reader identification code.

39. (Currently Amended) The process of claim 21, wherein the step of supplying the reader to the ~~location~~ facility is carried out prior to the registering step.

40. (Currently Amended) The process of claim 21, wherein the step of supplying the reader to the ~~location~~ facility occurs prior to the reading step which occurs prior to the registering step.

41. (Currently Amended) The process of claim 40, wherein the step of supplying by the control center occurs after identification of the identity of the ~~location~~ facility of the registering step and after receiving the fulfillment information to be supplied.

42. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to a plurality of ~~locations~~ facilities; each

of the readers having a respective reader identification code; the step of registering by at least one of the ~~locations~~ facilities is carried out after the at least one of the ~~locations~~ facilities receives the respective reader; and the step of registering by another of the ~~locations~~ facilities is carried out before the another of the ~~locations~~ facilities receives the respective reader.

43. (Currently Amended) The process of claim 21, wherein the step of supplying the reader is carried out by supplying a plurality of readers to a plurality of ~~locations~~ facilities, each of the readers having a respective reader identification code; wherein for a first group of said ~~locations~~ facilities the step of supplying the reader is followed by the step of registering which is followed by the steps of visiting and reading; wherein for a second group, different from the first group, of said plurality of ~~locations~~ facilities the step of registering is followed by the step of supplying the reader which is followed by the steps of visiting and reading; and wherein for a third group, different from the first and second groups, of said plurality of ~~locations~~ facilities the step of supplying the reader is followed by the steps of visiting and reading followed by the step of registering.

44. (Currently Amended) The process of claim 21, wherein the steps of visiting and reading occur prior to the registering step; and the step of supplying by the control center is carried out by first informing the user via the information destination location associated with the user of the portable device that the fulfillment information is not yet available when the registering step has not yet occurred.

45. (Currently Amended) The process of claim 21, further comprising the step of the user identifying a user receiving location to which the user wants fulfillment information to be supplied; and wherein the steps of visiting and reading occur prior to the registering step; and the step of supplying by the control center is carried out by sending a message to the user receiving location of an unavailability of fulfillment information from the ~~location~~ facility if the ~~location~~ facility has not yet registered.

46. (Original) A system for supplying information to a user about a retail store visited by the user, comprising:



registering means for registering a user during a registration process, the means for registering receiving from the user identification information including a mailing location to which the user desires to receive fulfillment information;

a portable device adapted to be carried by the user, the portable device having a unique device identification code;

a reader adapted to read the device identification code of the portable device of the user in close proximity to the reader, the reader being associated with a retail store to be visited by the user and having a unique reader identification code, the reader including capability to supply as an output the device identification code of the portable device when read along with the reader identification code of the reader;

a control center communicating with the registering means, the control center adapted to receive the device identification code and the reader identification code output by the reader, the control center adapted to supply fulfillment information associated with the supplied reader identification code to the mail location associated with the received device identification code.

47. (Original) The system of claim 46, wherein the reader is disposed at a location within the retail store adapted to read the device identification code of portable devices disposed exterior to the retail store.

48. (Original) The system of claim 46, wherein the reader is adapted to read the device identification code of a portable device during a time when the retail store is closed.

49. (Original) The system of claim 46, further comprising a plurality of readers disposed within a respective department of the retail store, each of the readers having a respective reader identification code and associated with the respective department.

50. (Original) The system of claim 46, further comprising a plurality of readers disposed adjacent to respective items for sale with the retail store, each of the readers having a respective reader identification code and associated with the respective item for sale.

51. (Original) The system of claim 50, wherein the registering means receives from the user information identifying a selection of an automatic product purchase option; and wherein the control center is adapted to initiate an automatic purchase by the user of the respective item for sale associated with the supplied reader identification code.

52. (Original) The system of claim 50, wherein the registering means receives from the user information identifying a selection of an optional product purchase option; and wherein the control center is adapted to communicate to the user an offer for sale of the respective item for sale associated with the supplied reader identification code.

53. (Original) The system of claim 46, wherein the portable device is adapted to be utilized as an admission pass to a facility.

54. (Original) The system of claim 46, wherein the portable device is associated with a designated time and date; and the portable device is adapted to be utilized as an admission pass to a facility in accordance with the designated time and date.

55. (Original) The system of claim 46, wherein the portable device is adapted to be utilized as a travel ticket.

56. (Original) The system of claim 46, further comprising a plurality of readers disposed within a plurality of retail stores, each of the readers having a respective reader identification code; the control center including means for providing an incentive to the user to use the portable device at some of the plurality of retail stores to which readers have been supplied.

57. (Original) The system of claim 46, further comprising a plurality of portable devices held by respective users, each of the portable devices having a respective device identification code; the control center including means for providing an incentive to the plurality of users to use the respective portable devices at the retail store.

58. (Original) A process of supplying information about a retail store, comprising the steps of:

registering a user during a registration process, the user supplying identification information during the registration process, the identification information including a mailing location to which the user desires to receive fulfillment information;

supplying to the user a portable device having a unique device identification code;

associating the unique device identification code of the portable device with the user supplied identification information;

supplying to a retail store a reader having a unique reader identification code;

providing by the retail store to a control center fulfillment information relating to information about the retail store;

associating the provided fulfillment information with the reader identification code of the reader supplied to the retail store;

visiting by the user of the retail store;

reading by the reader the device identification code of the portable device of the user;

supplying to a control center the read device identification code and the reader identification code of the reader having read the device identification code; and

supplying by the control center to the mailing location of the user the fulfillment information associated with the supplied reader identification code.

59. (Original) The process of claim 58, further comprising the step of disposing the reader at a location within the retail store adapted to read the device identification code of portable devices disposed exterior to the retail store.

60. (Original) The process of claim 58, wherein the visiting and reading steps are carried out during a time when the retail store is closed.

61. (Original) The process of claim 58, wherein the step of supplying the reader to a retail store is carried out by supplying a plurality of readers to the retail store, each of the readers having a respective reader identification code; the process further comprising the step of

disposing each of the readers within a respective department within the retail store; and wherein the step of providing the fulfillment information is carried out by providing for each of the readers respective fulfillment information corresponding to the respective departments.

62. (Original) The process of claim 58, wherein the step of supplying the reader to a retail store is carried out by supplying a plurality of readers to the retail store, each of the readers having a respective reader identification code; the process further comprising the step of disposing each of the readers adjacent to a respective item for sale in the retail store; and wherein the step of providing the fulfillment information is carried out by providing for each of the readers respective fulfillment information corresponding to the respective item for sale.

63. (Original) The process of claim 62, wherein during the step of registering the user is able to select an automatic product purchase option; the process further comprising the step of automatically purchasing the item for sale about which the user is provided fulfillment information when the user selected the automatic product purchase option.

64. (Original) The process of claim 62, wherein during the step of registering the user is able to select a product purchase option; the process further comprising the step of offering for sale via the mailing location of the user each of the items for sale about which the user is provided fulfillment information when the user selected the product purchase option.

65. (Original) The process of claim 58, further comprising the step of using the portable device by the user as an admission pass to a facility.

66. (Original) The process of claim 58, further comprising the steps of associating the portable device with a designated time and date; and using the portable device by the user as an admission pass to a facility in accordance with the designated time and date.

67. (Original) The process of claim 58, further comprising the step of using the portable device as a travel ticket.

68. (Original) The process of claim 58, wherein the step of supplying the reader to a retail store is carried out by supplying a plurality of readers to a plurality of retail stores, each

of the readers having a respective reader identification code; the process further comprising the step of providing an incentive to the user to use the portable device at a plurality of different retail stores to which readers have been supplied.

69. (Original) The process of claim 58, wherein the step of supplying a portable device to the user is carried out by supplying portable devices to a plurality of users, each of the portable devices having a respective device identification code; the process further comprising the step of providing an incentive to the plurality of users to use the respective portable devices at a single retail stores to which a reader has been supplied.

**REMARKS**

In light of the above amendatory matter and remarks to follow, reconsideration and allowance of this application are respectfully requested.

Claims 1-7, 14-17, 21-27, 33-36, 46-47, 51-52, 58-59 and 63-64 were rejected under 35 U.S.C. 102(e) as being anticipated by Ogasawara (U.S. Patent 6,123,259). Claims 8-13, 18-19, 28-32, 37-38, 42-43, 49-50, 56-57, 61-62 and 68-69 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (office action paragraph 7). Claim 20 was rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (office action paragraph 8). Claims 39-41 and 44-45 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (office action paragraph 9). Claims 48 and 60 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara (office action paragraph 10). Claims 53-55 and 65-67 were rejected under 35 U.S.C. 103(a) as being unpatentable over Ogasawara in view of Oneda (U.S. Patent 5,953,705) (office action paragraph 11).

For the reasons discussed below, Ogasawara is not valid prior art and, thus, may not be cited to reject the applicant's claims.

Ogasawara issued on September 26, 2000 based on an application filed on April 30, 1998. The present application claims the benefit of U.S. provisional patent application serial no. 60/251,610, filed December 6, 2000. It is submitted that the provisional patent application provides support for the present application as set forth in each of the claims and, thus, the provisional application establishes a filing date of December 6, 2000 under 35 U.S.C. 102(b) for the claims in the present application. Hence, Ogasawara is not prior art under 35 U.S.C. 102(b) since it was not patented (nor published) more than one year prior to the date of the application of the present application.

Moreover, the present application was invented before the issue date of Ogasawara of September 26, 2000, and also before the filing date of April 30, 1998 (i.e., the effective date of Ogasawara), as evidenced by the attached declaration under 37 C.F.R. § 1.131 with attached documentary evidence. As described in the declaration, the invention as set forth in the claims of the present application was conceived of prior to April 30, 1998 and that due diligence was

undertaken to reduce the invention to practice from prior to said date to the filing of this application. Thus, Ogasawara is not prior art under either 35 U.S.C. 102(a) or 102(e). Since Ogasawara is not prior art to the present application, it cannot be applied to reject applicant's claims. Since the other cited reference, Oneda, by itself neither discloses nor suggests applicant's invention as recited in claims 1-69, this reference neither anticipates nor makes obvious the present invention. Accordingly, it is requested that the rejection of the claims under 35 U.S.C. 102 or 103 be withdrawn.

Notwithstanding the fact that Ogasawara is not prior art to the present application, various claims have been amended to change the phrase "physical location" to --facility-- (or "physical locations" to --facilities-- ) to clarify the intended meaning of this phrase. Claim 1 originally recited "A system for supplying information to a user about a physical location visited by the user ...." Thus, the phrase "physical location" refers to something that can be visited, as opposed to an interpretation that the phrase means physical position (i.e., proximity information). To clarify this point, "physical location" has been changed to --facility--. Support for the use of the term "facility" is set forth throughout the specification, but paragraph number 40 on pages 8-9 is quite illustrative, and is repeated below:

"As will be discussed, a cardholder may be a consumer of products or services, a tourist visiting a city, a visitor to an interesting site or facility, such as a museum , or simply an individual seeking to obtain information about something he/she has seen. Potential card reader sites are numerous, and may include retail stores, museums, government facilities, residential homes, etc. Generally, any location about which information may be desired can be a card reader site."

Hence, the term "facility" means something (e.g., a store, home, museum, etc.) capable of being visited.

Moreover, various claims have been amended to remove "registering means" and to incorporate the functionality of the registering means within the recited control center. As presented above, it is submitted that none of the amendments herein was made for purposes of patentability of the invention. Rather, all of the amendments represent changes made to clarify the invention and to avoid misinterpretation of the claimed subject matter.

In light of the foregoing amendments and remarks, reconsideration and allowance of this application are respectfully requested.

Respectfully submitted,

By: \_\_\_\_\_

Mark Montague  
Reg. No. 36,612

COWAN, LIEBOWITZ & LATMAN, P.C  
1133 Avenue of the Americas  
New York, New York 10036-6799  
(212) 790-9200

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed: Commissioner of Patents and Trademarks, Washington, D.C. 20231, on October 8, 2003

Date of Deposit

Mark Montague

Attorney

Signature

October 8, 2003

Date of Signature

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Account No. 03-3415.